

Town of North Andover Planned Development District

Planning Department

Special Permit-Definitive

Procedure and Requirements for Filing an Application for a Definitive Planned Development District Special Permit

The following information must be submitted thirty (30) days prior to the first public hearing. Failure to submit the required information within the time periods prescribed may result in a dismissal by the Planning Board of an application as incomplete. The information herein is an abstract of more specific requirements listed in the Zoning Bylaw and is not meant to supersede them.

- **Step 1: Pick up application package:**

The petitioner picks up complete application package and Zoning Bylaw to reference specific requirements of special permit.

- **Step 2: Special Permit Application Form:**

Petitioner completes (3) copies of the application form. All information as required shall be completed.

- **Step 3: Plan Preparation:**

Petitioner submits all of the required plan information as cited Section 11.3 in the North Andover Zoning Bylaw.

- **Step 4: Submit Application:**

Petitioner submits (3) typewritten applications time stamped by the Town Clerk, ten (10) copies of the plan 1" = 40' prepared by a Registered Professional Engineer or Land Surveyor, abutters list certified by the assessors office and filing fee's.

- **Step 5: Mail Application to Outside Consultant:**

The petitioner mails a copy of the plan and application to the outside consultant for review at:

Vanasse, Hangin, Brustlin, Inc.
ATTN: Tim McIntosh
101 Walnut Street
Watertown, MA 02471

- **Step 6: Submit Filing Fees**

The petitioner submits two separate checks for filing fees in the following amounts. See attachments.

- **Step 7: Notification of Parties in Interest:**

Petitioner submits a complete abutters list to the Planning Department and the Planning Department sends out the legal notice. **Petitioner also submits two complete sets of stamped, self addressed envelopes, indicating Planning Board, 27 Charles Street, North Andover, MA 01845 as the return address. Additionally, (22) (twenty two) .37 cent postage stamps must be submitted for notification to the surrounding communities.**

- **Step 8 : Legal Notice:**

The Planning Department prepares the legal notice for mailing to the parties of interest (abutters) and for publication in the newspaper. The petitioner is responsible for delivering the legal notice to the newspaper.

- **Step 9 : Public Hearing before the Planning Board:**

The petitioner should appear in his/her behalf, or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of the petitioner, the Planning Board shall decide on the matter by using the information it has otherwise been provided.

- **Step 10: Decision:**

After the hearing(s), a copy of the Planning Board's decision will be sent to the petitioner, engineer and all parties in interest. (Any appeal of the Planning Board's decision may be made pursuant to Massachusetts General Laws Ch. 40A sec. 17 within twenty (20) days after the decision is filed with the Town Clerk.)

- **Step 11: Recording Certificate of Decision Plans**

The petitioner is responsible for recording certification of the decision and any accompanying plans at the Essex North Registry of Deeds, Lawrence Massachusetts, and shall complete the Certification of recording form and forward it to the Planning Department.

Important Phone Numbers

- ❖ 978-688-9535 Planning Department
- ❖ 978-688-9542 Planning Department's Fax
- ❖ 978-688-9501 Town Clerk's Office

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Special Permit-Definitive

Definitive Plan Submission

Written Documentation

Applications for a special permit must be supported by a legibly written or typed memorandum setting forth in detail all facts relied upon. Addressing each of the below points individually is required with this application.

1. encouraging the most appropriate use of land;
2. preventing overcrowding of land;
3. conserving the value of land and buildings;
4. lessening congestion of traffic;
5. preventing undue concentration of population;
6. providing adequate light and air;
7. reducing the hazards from fire and other danger;
8. assisting in the economical provision of transportation, water, sewerage, schools, parks, and other public facilities;
9. controlling the use of bodies of water, including watercourses;
10. reducing the probability of losses resulting from floods; and
11. reserving and increasing the amenities of the Town; **AND**

10.31

The Special Permit Granting Authority must have all the following conditions met:

- a. The specific site is an appropriate location for such a use, structure or condition;
- b. The use as developed will not adversely affect the neighborhood;
- c. There will be no nuisance or serious hazard to vehicles or pedestrians;
- d. Adequate and appropriate facilities will be provided for the proper operation of the proposed use;
- e. The Special Permit Granting Authority shall not grant any Special Permit unless they make a specific finding that the use is in harmony with the general purpose and intent of this Bylaw.

A Plan prepared by a Registered Professional Engineer or Surveyor showing:

1. It shall be drawn at a scale of one inch equals forty feet unless another scale is requested and found suitable by the Planning Board.
2. The Plan shall be prepared by a land surveyor, professional engineer, or architect.
3. The scale, date, and north arrow shall be shown.
4. The plans shall be certified by the land surveyor doing the boundary survey and the professional engineer or architect on the location of the buildings, setbacks, and all other required dimensions, elevations, and measurements and shall be signed under the penalties of perjury.
5. The corner points of the lot and change of direction of lines shall be marked by stone monuments, cut in stone, stake and nail, iron pin, or other marker and shall be so marked.
6. Lot number, dimension of lot in feet, size of lot in square feet, and width of abutting streets and ways.
7. Easements within the lot and abutting thereon.
8. The location of existing or proposed buildings on the lot.
9. The location of existing wetlands, water bodies, wells, 100 year floodplain elevation and other natural features requested by the Planning Board.
10. The dimensions of the existing and proposed buildings in feet.
11. The distance of existing and proposed buildings from the lot lines and the distance between buildings on the same lot
12. Percent of the lot coverage.
13. Average finished grade of each proposed building.
14. The elevation above average finished grade of the floor and ceiling of the lowest floor of each proposed building.
15. Existing and proposed topographical lines at two (2) foot intervals.
16. The use designation of each building or part thereof, and of each section of open ground, plaza, or usable roof space.
17. Number of parking spaces.
18. Height of all proposed buildings, above average finished grade of abutting streets.
19. Number of apartments, meeting rooms, and restaurant and theater.
20. Total square feet of floor space of all landscape and recreation areas, and depiction of materials to be used (grass, 5-foot shrubs, etc.)
21. Deed or other recorded instrument that shows the applicant to be the owner under option of the land to designated as a Planned Development

A Special Permit once granted by the Planning Board will lapse in two (2) years if not exercised unless the Planning Board grants an extension.